



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,764	02/27/2001	William Joseph Reid		1375
27599	7590	09/19/2005		
NETP&L, INC. 1385 SAGEBROOK DRIVE FAIRVIEW, TX 75069			EXAMINER PATEL, JAGDISH	
			ART UNIT 3624	PAPER NUMBER

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### DETAILED ACTION

1. This communication is in response to amendment filed 3/2/05.

#### *Election/Restrictions*

2. The applicant's response to the Election/restriction requirement mailed 2/2/2005 is deemed non-responsive for the following reasons. The applicant must make election to one of the inventions even if the basis for election/restriction requirement is traversed.

35 U.S.C. 121. Divisional applications.

If two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions. If the other invention is made the subject of a divisional application which complies with the requirements of section 120 of this title it shall be entitled to the benefit of the filing date of the original application. A patent issuing on an application with respect to which a requirement for restriction under this section has been made, or on an application filed as a result of such a requirement, shall not be used as a reference either in the Patent and Trademark Office or in the courts against a divisional application or against the original application or any patent issued on either of them, if the divisional application is filed before the issuance of the patent on the other application. If a divisional application is directed solely to subject matter described and claimed in the original application as filed, the Director may dispense with signing and execution by the inventor.

CFR 1.142. Requirement for restriction.

- (a) If two or more independent and distinct inventions are claimed in a single application, the examiner in an Office action will require the applicant in the reply to that action to elect an

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invention to which the claims will be restricted, this official action being called a requirement for restriction (also known as a requirement for division). Such requirement will normally be made before any action on the merits; however, it may be made at any time before final action.

(b) Claims to the invention or inventions not elected, if not canceled, are nevertheless withdrawn from further consideration by the examiner by the election, subject however to reinstatement in the event the requirement for restriction is withdrawn or overruled.

The examiner recommends that the response to the election/restriction be made in the following manner.

#### RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

#### REMARKS

In response to the Restriction Requirement mailed on ??? Applicant hereby elect the invention of Group I (claim 1).

Applicants traverse the restriction requirement on the basis that.... [if traversed]

Respectfully submitted,

Date:

Name (Applicant Pro se) and Signature

The pending claims with the revised status should be then listed per format shown at USPTO website. Refer to link <http://www.uspto.gov/web/offices/com/sol/og/2003/week08/patform.htm> for further detail.

***Conclusion***

The reply filed on 3/2/05 is not fully responsive to the prior Office action because of the omission(s) or matter(s) presented in this office action. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-600PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jagdish N. Patel", is written over the printed name.

Jagdish N. Patel

(Primary Examiner, AU 3624)

9/7/05